

REQUEST FOR EXPRESSIONS OF INTEREST

ARCHITECT FOR REDEVELOPMENT OF AUSTRALIAN PAVILION, VENICE, ITALY

This document is available until the closing date.

Issue Date: Monday 29 August 2011
Closing time: 3.00pm (AEDT) Friday 7 October 2011

Lodgement Address:

EOI - Venice Pavilion Project
Ground Floor Reception
Australia Council for the Arts
372 Elizabeth Street
Surry Hills NSW 2010



Part A – Introduction

1 Introduction

1.1 Summary

By this Request for Expressions of Interest (**EOI**), we are seeking submissions from suitably experienced Australian registered architects and architectural practices interested in the role of architect for the redevelopment of the Australian Pavilion in Venice, Italy (the “**Service**”), as outlined in **Schedule 1 (Proposed Requirement)**.

The appointed architect may be required to work with an Italian firm to be appointed by the Australia Council.

1.2 Issue of next stage of procurement – Request for Tender (RFT)

Following evaluation of submissions in response to this EOI, we intend to develop a shortlist of respondents and issue an RFT to the short-list. As part of the RFT, those on the shortlist may be requested to deliver a presentation to demonstrate how the Proposed Requirement will be successfully implemented and delivered.

We reserve the right to:

- a) Issue an open RFT following consideration of EOI submissions, or
- b) Issue an RFT only to all persons who responded to this EOI.

1.3 Timetable

An indicative timetable for the conduct of this EOI process is described below. We may amend the timetable from time to time. Any amendments will be notified to all interested participants by being published on the Australia Council’s website at <http://www.australiacouncil.gov.au>

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|--|--------------------------|
| • Issue of EOI | Monday 29 August 2011 |
| • Closing date for submission of questions | Friday 16 September 2011 |
| • Opening date for submissions | Tuesday 4 October 2011 |
| • Closing date for submissions | Friday 7 October 2011 |

1.4 Further information and enquiries

Any questions arising during this EOI process, or requests for clarification or further information, must be made in writing to:

Email: venicepavilion@australiacouncil.gov.au



We may provide the answer to any query without disclosing the source of the query, by publishing the answer on the Australia Council website.

Without limitation, all interested parties should expect that answers to queries that provide additional substantive information will be provided to all other parties via our website.

1.5 Notice of changes to this EOI

We may amend this EOI from time to time.

We will post any relevant amendment to the EOI on our website.

1.6 Consultation

A probity advisor has been engaged and the Australian Institute of Architects has been consulted and has endorsed the terms of this EOI.

1.7 Selection panel

The members of the selection panel for this EOI will be listed on our website. Any change to panel members will be updated on our website www.australiacouncil.gov.au/venicepavilion.

Part B – Conditions of Submission

2 Lodgement of submissions

2.1 Lodgement

Submissions must include a completed registration form (Appendix 1) in accordance with Schedule 2, and be:

- (a) in a sealed plain package, marked with “Tender-in-Confidence”, the EOI title and Closing Time; and
- (b) lodged by post or by hand to:

EOI - Venice Pavilion Project
Ground Floor Reception
Australia Council for the Arts
372 Elizabeth Street
Surry Hills NSW 2010

Faxed or emailed submissions **are not** accepted.

2.2 Closing time

The deadline for lodgement of submissions is **3.00pm (AEDT) on Friday 7 October 2011**.

2.3 Late submissions

We will not consider a submission received after the Closing Time. Lodgement of submissions by the Closing Time is entirely your responsibility. However, we will not penalise you for a delay due solely to our mishandling of an application.

2.4 Corrections and additions

If you become aware of an error or omission in your submission and wish to lodge a correction or additional information, the material must be lodged with us in writing at the Lodgement Address, **before** the Closing Time. We are not obliged to consider a correction or additional information received after the Closing Time.

2.5 Ownership of submissions

All submissions become the property of the Australia Council once lodged. We may copy, amend, extract or otherwise deal with all or any part of a submission for the purpose of conducting the EOI process and related procurement processes. We reserve the right to disclose the contents of all submissions only for the purposes of:



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- (a) conducting an efficient EOI process and related procurement processes; or
 - (b) as otherwise required to any Commonwealth department, agency, authority, Minister, the Parliament or any Parliamentary officer or committee, for the proper performance of their statutory or governmental responsibilities.

Submissions will not be returned to respondents.

2.6 Restrictions

Members of the selection panel, their associates and employees are not eligible to submit.

3 Requirements for submissions

3.1 Format and content

Submissions are to be structured as shown in **Schedule 3 (Expression of Interest)**, and provide the information indicated in that Schedule.

3.2 Conditions for participation

Submissions must address the conditions for participation specified in **Schedule 2 (Conditions for Participation)**.

4 Participation in the EOI process

4.1 Acknowledgment and disclaimer

Every reasonable attempt has been made to ensure the accuracy and completeness of this Request for EOI, and will be made in advising respondents of any subsequent amendments or clarifications. However, the Australia Council, its officers, employees, advisors and agents make no express or implied representation or warranty as to the truth, accuracy or completeness of the information contained in this EOI, or otherwise provided to you by the Australia Council.

4.2 Your costs

All expenses and costs you incur in connection with this EOI, including (without limitation) preparing and lodging a submission, providing us with further information, is your sole responsibility.

4.3 No contract

Nothing in this EOI should be construed to give rise to any contractual obligations or rights, express or implied, by the issue of this EOI or the lodgement of a submission in response to it. No contract will be created until a formal written contract is executed between the Australia Council and a respondent.

4.4 Australia Council's rights

Notwithstanding any other provision of this EOI, we reserve the right, at any time to:

- (a) alter, amend, vary or end this EOI and the process outlined in this EOI;
- (b) if we consider that it is in the public interest to do so, suspend or terminate this EOI process or any part of it;
- (c) require additional information or clarification from you or anyone else, or provide additional information or clarification to you or anyone else;
- (e) allow, or not allow, the successful respondent to enter into the proposed contract in the name of a different legal entity from that which provided a response to this EOI;
- (f) select and negotiate with more than one respondent where we form a view that there is no one respondent who could successfully deliver and meet the Proposed Requirement; and
- (g) add to, alter, delete or exclude any of the requirements to be provided by the preferred respondent under this EOI.

For the avoidance of doubt, we may exercise our rights under this clause and elsewhere in this EOI at any time and in our absolute discretion, unless this EOI expressly provides otherwise.

4.5 False or misleading claims

If you are found to have made false or misleading claims or statements or obtain improper assistance, we may reject your submission from any further consideration. You should be aware that giving false or misleading information to the Commonwealth is a serious offence under the *Criminal Code Act 1995*.

4.6 Unlawful inducements

You and your officers, employees, agents and advisors must not violate any applicable laws or Australia Council policies in relation to unlawful inducements in connection with the preparation or lodgement of your submission and the EOI process. Relevant policies can be found at <http://www.finance.gov.au/procurement/>.

4.7 Collusive tendering

You and your officers, employees, agents and advisors must not engage in any collusive tendering, anti-competitive conduct or any other similar conduct with any other respondent or person in relation to the preparation or lodgement of your submission or the EOI process.

5 Australian Government policy requirements

5.1 Freedom of information

You should note the operation of the *Freedom of Information Act 1982* which gives members of the public the right of access to documents in the possession of Australian Government



departments and its agencies. You should obtain your own independent professional advice on the impact of this Act on your participation in the EOI process.

5.2 Privacy

We are obliged to protect personal information in accordance with the Information Privacy Principles in the *Privacy Act 1988*. We reserve the right at any time not to disclose any information that is subject to, or that we reasonably believe could be subject to, protection under the Privacy Act.

You must comply with applicable obligations under the private sector National Privacy Principles in the Privacy Act. If we disclose any personal information to respondents, they must also comply with the obligations under the Privacy Act, to which we are subject.

5.3 Workplace

You are required to comply with the relevant provisions of applicable legislative requirements, awards and workplace arrangements, including without limitation:

- (a) workplace/industrial relations legislation;
- (b) occupational health and safety legislation;
- (c) workers compensation legislation;
- (d) affirmative action legislation; and
- (e) any other relevant policies and guidelines of the Australia Council.

5.4 Auditor-General Act 1997

Your attention is drawn to the *Auditor-General Act 1997* which gives the Auditor-General and any authorised person with a right, at all reasonable time, to access relevant information, documents and records. You should obtain your own independent professional advice on the impact of this Act on your participation in this EOI process.



Part C – Evaluation of submissions

6 Assessment of submissions

6.1 Assessment objective

We will assess submissions to identify respondents who are interested in, and capable of, providing the Australia Council's Proposed Requirement. After assessment of submissions, we may decide to issue a request for tender for our requirement in accordance with clause 1.2 of this EOI.

6.2 Initial assessment

Each submission lodged with us in response to this EOI will be initially assessed to ensure that:

- (a) the submission was submitted by the Closing Time (or the Australia Council has accepted the submission as a late submission in accordance with clause 2.3 of this EOI);
- (b) at the time of opening, the submission meets the minimum format and content requirements specified in this EOI, and includes all required information, statements, certifications and declarations; and
- (c) the submission satisfies the Conditions for Participation set out in Schedule 2.

6.3 Rejection after initial assessment

If we consider a submission does not satisfy the initial assessment requirements in clause 6.2, we will:

- (a) not consider the submission any further and reject the respondent from further participation in the EOI process;
- (b) promptly notify the respondent that it has been rejected from participating in the EOI process on the basis of the initial assessment of its submission; and
- (c) provide a written explanation for rejection to the Respondent, on request.

6.4 Evaluation criteria

We will assess submissions that have satisfied the initial assessment under clause 6.2 against the following evaluation criteria:

- (a) capability to undertake the project;
- (b) any previous experience with similar projects, i.e. cultural buildings;
- (c) suitability;
- (d) resources, including demonstrated experience, qualifications and skill of key personnel;
- (e) financial capacity;
- (f) evidence of quality assurance; and



(g) compliance with the EOI.

The content for this evaluation section will depend on the approach to be used for the issue of an RFT (see clause 1.2).

6.5 Unsuccessful respondents

If we reject a respondent's application to participate in the procurement under this EOI, we will notify the respondent.

Schedule 1 – Proposed Requirement

1 Background to the requirement

The Australia Council for the Arts wishes to redevelop the Australian Pavilion in Venice, Italy. The new pavilion will reflect high functionality and exemplary architecture, delivered within the limited budget and other constraints of the project.

The new pavilion will occupy a similar footprint as the existing structure, that is, a covered area of approximately 320m².

Project background

The Australian Pavilion in Venice, Italy is the venue for Australia's National Participation at the Venice Biennale. Established in 1895 the Venice Biennale (La Biennale di Venezia) is the oldest, and remains the most important and prestigious event on the international contemporary visual arts calendar. Every two years Venice becomes the world stage with the attention of the world's visual arts community and media focused on Venice over a six-month period. On alternate years since 2006, by agreement with the Australia Council, the Australian Institute of Architects has supported the Australian representation in the Australian Pavilion during the Venice Architecture Biennale.

The current Australian Pavilion in Venice, Italy was built in 1988 and is one of 29 national pavilions in the Giardini della Biennale (Biennale Gardens). It stands on land owned by the City of Venice and was the last exhibition pavilion in the Giardini granted by the authorities. The architect, Philip Cox, and other generous donors gifted this pavilion to the Australian Government. The existing building was built as a temporary structure. However, in 2003, the City of Venice issued planning permission to transfer its status from a temporary building to a permanent one. After 23 years of service, the pavilion has been subject to significant wear and tear and can be challenging as an exhibition space.

The Australia Council announced its intention to commence the redevelopment of the pavilion at a Press Conference for the Australian representation at the 54th International Art Exhibition in Venice on 1 June 2011.

2 Australia Council environment

The Australia Council for the Arts owns and manages the Australian Pavilion. The Australia Council will project manage this project, including the engagement of other consultants and contractors required to deliver the project.

3 Scope of requirement

The Australia Council wishes to build a new permanent Australian Pavilion. The primary use of the new Australian Pavilion is as a public exhibition space, and as such the designed space must be flexible, adaptable and provide for multiple and cross-disciplinary art presentations.

The project will commence in 2011 and be completed in 2015 to be opened at the 56th International Art Exhibition, Venice Biennale 2015.

4 Services

The Australia Council seeks to appoint an Australian registered architect for the new Australian Pavilion. The successful architect will be selected through a two-stage process: an open call for Expressions of Interest (EOI) to determine a shortlist of firms who will then be invited to submit a detailed tender proposal against the design brief, after which one will be awarded the contract.

The architect will be engaged in early 2012 with the aim of completing design documentation for submission to the relevant Italian authorities in mid 2012.

5 Budget

All capital costs will be raised through private funding. The total project budget, inclusive of all costs such as consultants, permits, demolition, construction, services, furniture, fittings and equipment is estimated to be between AUD\$4million and AUD\$6million.

Schedule 2 – Conditions for Participation

Conditions for participation

The Conditions for Participation in this EOI are that the respondent:

- (a) must be an Australian registered architect or, where required by relevant law, an Australian registered architectural practice, or a collaboration between two or more such practices;
- (b) must have relevant prior experience in provision of the type of services described in this EOI;
- (c) must not be bankrupt or insolvent, and
- (d) must respond to this Request for EOI according to the criteria and requirements set out in Schedule 2 and 3.

EOI Submission

The objective of this EOI is to provide the selection panel with a clear, concise and considered demonstration of your credentials to handle a project of this nature. Your submission should focus on how you intend to address a project of this type, and your capability to design and deliver. The EOI is **not** a conceptual or design based response. Designs or schematic drawings for this project are not sought, and any such material will be disregarded by the selection panel.

Expression of Interest submissions will be evaluated according to the following selection criteria:

- capability to undertake the project;
- any previous experience with similar projects, i.e. cultural buildings;
- suitability;
- resources;
- financial capacity;
- evidence of quality assurance; and
- compliance with the EOI.

You should address the following points:

1 Capability statement

Demonstrated capability of completing a project of this type and size, complexity and budget. This will include a statement outlining why the company is appropriate for the project and a broad vision within the context of the company's work.

Capability to deliver the project in Venice, Italy.

2 Past works

Selection of previous completed projects which will assist the selection panel in determining capability and suitability for this project. This can be in the form of images and online (URL links required). In particular, you should outline relevant projects, or projects currently in design, for example:



- a public art space and/or building with exhibiting capacity;
- public buildings;
- buildings of civic and/or cultural significance; and
- international projects.

List up to 3 projects which you consider the most relevant to this EOI.

3 Suitability

Respondents should demonstrate their experience in areas such as:

- track record in public building projects on time and on budget, including information on total capital costs and project timelines;
- evidence of a high level of responsiveness to client, and client satisfaction of delivery to functional brief;
- the ability to work with the necessary authorities for the entire project to ensure the project is delivered within budget and time constraints;
- projects in an offshore location;
- the ability to work in partnership with international architect and authorities, the architect may advise Italian or other international firms that they have previously worked with.
- working with Government;
- stakeholder management;
- communications/media management; and
- the ability to meet delivery (time line) requirements

4 Resources

Identify the key principal architect and the amount of time they will be able devote to this project, and the project architect if different to principal architect. A description of only those key personnel who will be working directly on the project is required.

5 Financial Capacity

Statement of financial capacity to deliver architectural services as contracted.

6 Quality Assurance

Evidence of quality assurance processes within your practice including any accreditation.

7 Compliance with EOI

You should ensure your submission meets all requirements as outlined in this request for EOI.



8 Submission requirements

Deliverables

All respondents must complete the registration form (Appendix 1).

The EOI **should not** exceed 8 x single sided A3 pages including relevant CV, all illustrations, text and background material. The registration form is not included in the 8 x single sided A3 pages stipulated. Any pages in excess of this will be disregarded.

- All text must be legible with body text to be minimum 11 point size.
- The respondent must lodge one hard copy of the submission in single sided A3 loose leaf format marked as “original” . In addition, the respondent must also provide:
 - four (4) hard copies of the submission marked “copy”; and
 - one soft copy of the submission marked “copy” in pdf format on optical disk.

9 Evaluation of submission

The selection panel will evaluate the submission based on the selection criteria. The selection panel will comprise 5 members including representation from the Australian Institute of Architects (AIA). A shortlist of firms will then be invited to be considered in Stage Two.

The Australia Council will appoint a Probity Advisor who will participate in the evaluation of submissions and the EOI process.

Schedule 3 –Submission Requirements: Expression of Interest

Expressions of Interest are invited from suitably experienced Australian registered architects and architectural practices interested in the role of architect for the redevelopment of the Australian Pavilion in Venice, Italy. The appointed architect may be required to work with an Italian firm to be appointed by the Australia Council.

1 Registration form

Respondents must complete the registration form (Appendix 1). This registration form is to be submitted with the deliverables **in one sealed package** as indicated in Part B, 2 - Lodgement of submissions.

2 Response to conditions for participation

Respondents must set out their response to the specific requirements as set out in the Conditions for Participation.

3 Conflict of interest

Respondents must include in their submission details of conflicts of interest or potential conflicts of interest if selected to provide the Australia Council's proposed requirement.

APPENDIX 1

**EOI – Venice Pavilion Project
REGISTRATION FORM**

Respondent details

Name: (full legal name)
ABN:

Contact person

Name:
Position:
Address:
Telephone:
Fax:
Email:

After lodgement of a submission, Respondents must promptly notify the Australia Council of any changes to this information.

Registration details

Respondents should indicate their qualifications and professional affiliations and any other relevant registration details.

Authorisation

SIGNED by

.....
an authorised representative for the
Respondent in the presence of:

.....
Signature of witness

.....
Name of witness (block letters)

.....
By executing this agreement the
signatory warrants that the signatory
is duly authorised to register interest
on behalf of the Respondent.